

Message Text

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PAGE 01 ANKARA 06291 231417Z
ACTION AID-05

INFO OCT-01 EUR-12 L-03 ISO-00 PER-01 /022 W
-----017394 231950Z /41
R 231330Z AUG 77
FM AMEMBASSY ANKARA
TO SECSTATE WASHDC 8607

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FOR AID/W (SER/PM/PS/ER, D FRANKLIN)

E.O. 11652: NA
TAGS: AFSP, ACLM, TU
SUBJECT: DEATH OF AID LOCAL EMPLOYEE YALCIN, ALI RIZA, DEPT OF
LABOR CLAIM #A50-5171

REF: ANKARA TRANSMITTAL, 5/11/76

1. THE REFERENCE TRANSMITTED A COMPLETE ACCIDENT REPORT ON THE ELECTROCUTION DEATH OF AID FSLE ALI RIZA YALCIN IN THE BASEMENT FURNACE ROOM OF THE ANKARA AID OFFICE BUILDING ON NOVEMBER 7, 1975. SUBSEQUENT TO THAT TRANSMITTAL, THE OWCP OF THE DEPARTMENT OF LABOR ISSUED AN AWARD OF COMPENSATION IN THE AMOUNT OF \$30,514.82 TO THE DECEASED'S FAMILY, WHICH SUM WAS DULY TRANSMITTED TO THE YALCIN FAMILY. NO FURTHER CLAIM HAS BEEN RECEIVED CONCERNING THIS CASE.

2. IN FEBRUARY, 1977, THE TURKISH MINISTRY OF FOREIGN AFFAIRS SENT THE EMBASSY UNDER COVER OF A DIPLOMATIC NOTE A REQUEST FROM THE MINISTRY OF JUSTICE THAT THE EMBASSY INFORM THE MINISTRY OF JUSTICE THE NAME OF THE PERSON RESPONSIBLE FOR THE HEATING OPERATIONS AT THE AID ORGANIZATION (THE FORMER AID OFFICE BUILDING AT 18 CINNAH CADDESSI).

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3. THE OPINION OF AID'S TURKISH COUNSEL, AFTER INVESTIGATING THE REQUEST, WAS THAT THE MINISTRY OF JUSTICE WAS SEEKING TO DISCHARGE ITS DUTY OF ENDEAVOR- INTO TO ASCERTAIN WHETHER ANY ONE INDIVIDUAL WAS RESPONSIBLE FOR THE ALLEGED UNSAFE ELECTRIC WIRING CONDITION WHICH LED TO YALCIN'S DEATH. AFTER DISCUSSIONS WITHIN THE EMBASSY AND AAO, THE EMBASSY

RESPONDED IN ITS NOTE #81 TO THE MFA THAT IT WAS THE EMBASSY'S OPINION THAT NO FAULT OR NEGLIGENCE IN THIS ACCIDENT (COULD) BE ATTRIBUTED TO ANY PERSON ON DUTY WITH THE UNITED STATES GOVERNMENT AT THE TIME OF ITS OCCURRENCE.

4. ON JULY 26, 1977, THE EMBASSY RECEIVED ANOTHER NOTE FROM MFA ASKING DIRECTLY THAT THE EMBASSY IDENTIFY THE PERSON WHO WAS RESPONSIBLE FOR THE CENTRAL HEATING SYSTEM OF THE AID ORGANIZATION ON THE DATE OF NOVEMBER 11 1975. WE BELIEVE THERE IS A SIMPLE ERROR IN THE ACCIDENT DATE. THE EMBASSY INFORMALLY ASKED MFA IF THEY HAD RECEIVED OUR EARLIER RESPONSE TO THE MINISTRY OF JUSTICE INQUIRY. MFA ANSWERED INFORMALLY THAT THE RESPONSE HAD BEEN RECEIVED BUT THAT MFA HOPED FOR AN ANSWER TO THE QUESTION POSED IN THE PRESENT NOTE.

5. THE EMBASSY HAS NO KNOWLEDGE OF ANY TURKISH NATIONAL WHO MIGHT HAVE HELD ACTUAL RESPONSIBILITY FOR THE SAFETY OF THE BASEMENT FURNACE ROOM AT THE TIME OF THE ACCIDENT. AID'S TURKISH LAWYER SUGGESTS THAT WE INFORM MFA THAT THE EMBASSY HAS NO DIRECT KNOWLEDGE OF WHO WAS RESPONSIBLE FOR THE CENTRAL HEATING SYSTEM AT AID ON THE DATE IN QUESTION BUT THAT WE SHALL BE GLAD TO QUERY AID/W TO ASK THAT INFORMATION OF THE RESPONSIBLE AID OFFICER(S) WHO WERE IN ANKARA AT THE TIME, NOTING THAT LIMITED OFFICIAL USE

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ANY POSITIVE RESPONSE WILL NAME A US OFFICER LONG DEPARTED FROM TURKEY WHO, IN ANY CASE, WAS GRANTED DIPLOMATIC IMMUNITY DURING HIS TOUR IN TURKEY. THIS RESPONSE, THE ATTORNEY FEELS, HAS A GOOD CHANCE OF ENDING THE INQUIRY. BEFORE PROCEEDING, THE EMBASSY WISHES TO KNOW IF THE DEPARTMENT'S LEGAL ADVISORS AGREE WITH THIS COURSE OF ACTION, AND IF AID/W WOULD BE PREPARED TO NAME SUCH AN AMERICAN OFFICER IF THE MFA PURSUES THE MATTER FURTHER.

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Message Attributes

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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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